

DEPARTMENT OF HEALTH & HUMAN SERVICES
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STATEMENT BY CMS ADMINISTRATOR TOM SCULLY

Today's ruling is a loss for 40 million seniors who want and need discounts on their prescription drugs. We are disappointed by the judge's decision, but we continue to believe that the Medicare law gives CMS the authority to assist and educate beneficiaries on how to get prescription drugs at affordable prices, immediately.

While our Medicare-endorsed prescription drug card initiative does not provide a substitute for a Medicare prescription drug benefit, we believe the initiative is an important step in providing affordable prescription drugs to our nation's seniors and will work with Congress to clarify our authority. We will also continue to work with Congress to push for a comprehensive prescription drug benefit for our nation's seniors as we work to strengthen the Medicare program.

We had anticipated this decision for months and are closely evaluating today's court decision and all our options. The bright side of the decision is that after long delay, it speeds the course of a likely appeal, so that we might finally go forward to assist our nation's Medicare beneficiaries with their prescription drug costs.

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